

Richard D. McCune, Esq. State Bar No. 132124
rdm@mwtriallawyers.com
Jae (Eddie) K. Kim, Esq., State Bar No. 236805
jkk@mwtriallawyers.com
MCCUNE & WRIGHT, LLP
2068 Orange Tree Lane, Suite 216
Redlands, California 92374
Telephone: (909) 557-1250
Facsimile: (909) 557-1275

Attorneys for Plaintiffs VERONICA GUTIERREZ, ERIN
WALKER and WILLIAM SMITH, on behalf of themselves
and all others similarly situated,

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

VERONICA GUTIERREZ, ERIN WALKER and)
WILLIAM SMITH, as individuals, and on behalf)
of all others similarly situated,)

Plaintiffs,

v.

WELLS FARGO & COMPANY, WELLS)
FARGO BANK, N.A., and DOES 1 through 125,)

Defendants.)

Case No.: C 07-05923 WHA (JCSx)

Judge Assigned: Hon. William H. Alsup

**DECLARATION OF RICHARD D. McCUNE
IN SUPPORT OF PLAINTIFFS'
ADMINISTRATIVE REQUEST TO FILE
PORTIONS OF PLAINTIFFS' MOTION FOR
CLASS CERTIFICATION UNDER SEAL**

DATE: August 21, 2008

TIME: 8:00 a.m.

DEPT: Courtroom 9, 19th Floor

Original Complaint filed: November 21, 2007

I, RICHARD D. McCUNE, hereby declare the following:

1. I am an attorney licensed to practice law before all of the courts of the State of California and I am a partner of McCune & Wright, LLP, counsel of record for Plaintiffs. The following facts are within my personal knowledge or based on records and files at my law firm, and, if called upon as a witness, I could and would testify competently thereto. I make this

1 Declaration in support of Plaintiffs' Administrative Request to File Portions of Plaintiffs'
2 Motion for Class Certification Under Seal.

- 3 2. Portions of Plaintiffs' Motion for Class Certification and Declaration of Richard D. McCune
4 in Support of Motion for Class Certification refer to or contain information that has been
5 designated as confidential by Defendant Wells Fargo Bank, N.A., pursuant to the Stipulated
6 Protective Order in this case. Plaintiffs have redacted those portions from the public version
7 of the documents and will lodge herewith a redacted version of these documents with the
8 Court.
- 9 3. Furthermore, **Exhibits 1, 3, 10, 14, 15, and 16** of the Declaration of Richard D. McCune in
10 Support of Motion for Class Certification refer to or contain information that has been
11 designated by Defendant as confidential pursuant to the Stipulated Protective Order in this
12 case. While **Exhibit 1** is a document which only partially contains confidential information,
13 **Exhibits 3, 10, 14, 15, and 16** are documents which are entirely designated confidential by
14 Defendant. Plaintiffs are lodging herewith a redacted versions of those exhibits which only
15 partially contain confidential information. For exhibits that consist of entirely confidential
16 documents, good cause exists to seal those exhibits of the McCune Declaration.

17 I declare under penalty of perjury under the laws of the United States of America that the
18 foregoing is true and correct. Executed this 10th day of July, 2008, in Redlands, California.

19
20 

21 Richard D. McCune
22
23
24
25
26
27
28